

## **Application for Review - Guide**

Please read this guide carefully before completing your application for review.

## Where to send your application for review

Send your application to your Services Québec office.

In the following text, "Services Québec office" means the office that rendered the decision.

#### 1. What is a review?

Under the *Individual and Family Assistance Act*, you have the right to request a re-examination of a decision rendered by the Ministère de l'Emploi et de la Solidarité sociale. An application for review does not, however, stop the decision from being implemented. For example, if a Services Québec office decision indicates that the amount of your cheque will be reduced, the reduction will be applied until a new decision is rendered.

Your application for review will be studied on the basis of the facts at the time that the decision you are contesting was rendered. You may provide any pertinent documents to support your application for review. Please remember that you must inform the person in charge of your file about any changes in your situation.

In order to facilitate communication during the review process, the Bureau de révision will send you an acknowledgment of receipt of your application for review and provide you with the contact information for the person who is responsible for processing your application (review officer). It will also inform you about your obligations and any steps you must take.

#### 2. Which decisions may be reviewed?

## Social Solidarity Program, Social Assistance Program or Basic Income Program

You may apply for a review of any decision rendered under these programs, except for decisions rendered by virtue of the Minister's discretionary power.

#### Public employment services and measures, other programs

You may apply for review of a claim for repayment.

#### **Aim for Employment Program**

An application for review can be filed for decisions concerning the benefit amount granted under the Aim for Employment Program, a benefit reduction following a failure to comply, a file cancellation, a claim for repayment, and special benefits.

#### 3. Deadline for filing an application for review

You have **90 days** as of the date you receive a notice of decision to file an application for review. Your application will be refused if it is filed after the 90-day deadline, unless you can show that you were unable to file it earlier for a valid reason or because of an unforeseeable event

beyond your control. If you need help completing your application for review, it is the duty of the personnel of the Ministère de l'Emploi et de la Solidarité sociale to provide you with assistance.

## 4. Steps in processing an application for review

#### Services Québec office

The Services Québec personnel will check whether the contested decision was rendered correctly, and if they find that your application for review is justified, they can change the decision without delay.

#### Bureau de révision

If the situation cannot be settled by the Services Québec office, your application for review will be studied by the Bureau de révision, which will render a decision.

#### Ministère de l'Emploi et de la Solidarité sociale

### 4. Steps in processing an application for review (cont.)

If the application for review is related to an assessment of your capacity for employment based on health reasons, you may present your observations (generally during a telephone interview) to:

- a committee made up of a physician and a socio-professional specialist, in the case of a severely limited capacity for employment
- a physician, in the case of a temporarily limited capacity for employment.

The committee or physician does not call into question the diagnosis provided by your attending physician in the medical report that you submitted. The role of the committee or physician is to assess your condition and the resulting limitations, and to render a decision in compliance with the *Individual and Family Assistance Act*.

### 5. Participating in the review process

If you answer "Yes" to the question "If you are not represented, do you wish to provide additional information to the review officer during a telephone interview?", you will be invited to contact us. You will have a chance to voice your arguments, submit documents to complete your file and provide any information that you feel is necessary to defend your point of view.

You are entitled to be assisted by a person of your choice or by someone from an organization that you have asked to assist you, or to be represented by a lawyer. If you would like us to contact the selected

person or the person from the selected organization, please indicate it in section 5 of this form. If you are represented by a lawyer, we will communicate with your lawyer.

If you answer "No" to the question "If you are not represented, do you wish to provide additional information to the review officer during a telephone interview?" the review decision will be rendered on the basis of the information and documents in your file.

# 6. If a person contests his or her solidary liability for repayment of a debt, will the other solidary debtor be notified of the review decision?

**Yes.** The review officer may contact the other solidary debtor in order to give this person a chance to present his or her observations. The review officer will not, however, contact the other solidary debtor if the person

who files the application for review is contesting his or her solidary liability for a reason related to domestic violence.

#### 7. How is the review decision issued?

You will be mailed a copy of the review decision. A copy will also be sent to your lawyer (if any) or, at your request, to the person or organization that assisted you. If the decision has to do with a solidary debt, a copy is also sent to the other person who is held solidarily liable (if the review officer has been in contact with the person).

The Services Québec personnel will also be notified of the decision. They are responsible for applying the decision and, if applicable, for paying you any amounts owed.

## 8. Is it possible to appeal a review decision?

If you are dissatisfied with the review decision rendered by the Bureau de révision, you have **60 days** to file an appeal with the Tribunal administratif du Québec (TAQ).

If the Bureau de révision does not render a review decision within 90 days following the date of receipt of your application for review, or

within 90 days of the date on which you presented your observations or submitted your documents (if you requested an extension for this purpose), you may file an appeal directly with the TAQ.

## To obtain more information

For more information, you can contact the person in charge of your file at the Services Québec office. You can also contact the Centre de communication avec la clientèle at the Ministère de l'Emploi et de la Solidarité sociale, at the following toll-free number:

1-877-767-8773

Information is also available on the Québec.ca website.

## **Application for Review**

		Date de réception
Submit your completed application to the Services Québec office th rendered the decision.	at	

## **BEFORE APPLYING FOR A REVIEW**

## PLEASE READ THE GUIDE CAREFULLY.

Feel free to contact the person in charge of your file for more information about the decision that you are contesting.

1 INFORMATION ABOUT THE APPLICANT			
Last name	First name	File number (CP12)	
Name of the external stakeholder (business or b	ody) Contract or agreer	ment number	
OR			
Name of the external stakeholder's authorized rep	resentative		
Address – Number and street	Apartment City	Postal code	
Telephone – Home Other telephon Area code	<b>ne</b> (specify)  Area code	<b>Fax</b> Area code	
2 DECISION BEING CONTESTED			
Enter the date on which the notice of decision or	,	Year Month Day	
If possible, attach a copy of the notice,	to facilitate the processing of your application.		
3 REASON FOR THE APPLICATION FOR REVI	<b>EW</b> Indicate the item that you are contesting	ng.	
Last-resort financial assistance (LRFA), Basic	Special benefit	Claim notice	
Income Program (BI) or Aim for Employment Program (AE)	Application for special benefit refused	(individual, business or body)	
Financial assistance cancelled	Amount of special benefit granted	Claim-grounds, amount, period	
Financial assistance reduced	Employment constraints	<ul> <li>Reason for false declaration (misrepresentation)</li> </ul>	
Application for financial assistance refused	Refusal to recognize a temporarily limited	Solidary liability	
Amount of financial assistance granted (LRFA)	capacity for employment	Amount withheld to recover debt	
Amount of financial assistance granted (BI)	Refusal to recognize a severely limited	Other (specify):	
Amount of financial assistance granted (AE)	capacity for employment		
Reduction of the assistance amount following a failure to comply (AE)			
If you are participating in the Aim for Employment Program and contesting a reduction in assistance, have you made or will make an application for administrative reconsideration to contest your labour market entry plan?			

Ministère de l'Emploi et de la Solidarité sociale

4 REASONS YOU DISAGREE WITH THE DECISION If y	you need more	space, attach an extra sheet.	
Please explain the reason for you application for review and			ur application.
5 ADDITIONAL INFORMATION			
For this application for review, will you be represented by a	lawyer or other p	erson? Yes No	Contact information to come later
Name of the representative or other person		Telephone Area code	Fax Area code
Address – Number and street	City		Postal code
If you are assisted by someone other than a lawyer, would you decision following the review, to be sent to that person?	u like the corresp	ondence, including the notice inform	ning you of the ☐ Yes ☐ No
If you are not represented, do you wish to provide additional	information to th	e review officer during a telephone	interview? Yes No
If you answer "No", the decision will be rendered acc	ording to the info	ormation in your file.	
6 APPLICANT'S SIGNATURE			
			I
Date		Signature	

#### PROTECTION OF PERSONAL INFORMATION

Access to the information that you submit is limited to the persons who are authorized to consult it, in compliance with the *Act respecting Access to documents held by public bodies and the Protection of personal information* (CQLR, chapter A-2.1). You are entitled to consult the information about you and, if applicable, request corrections by submitting a written request to the person in charge of access to documents and the protection and personal information.

## NOTE REGARDING DECISIONS RENDERED UNDER THE SOCIAL ASSISTANCE PROGRAM, THE SOCIAL SOLIDARITY PROGRAM, THE BASIC INCOME PROGRAM OR THE AIM FOR EMPLOYMENT PROGRAM

If your financial assistance has been cancelled or reduced by more than 50% further to a decision, the processing of your application for review will be given priority. A review decision will be rendered within 10 days of the date of receipt of your application for review, the date on which you presented your observations or the date on which you submitted your documents (if you requested an extension for this purpose), failing which the original amount of your financial assistance will be reinstated until a review decision is rendered. Please note that if your application for review form is received before the date on which your benefits are to be cancelled or reduced, the 10-day period is calculated as of the date of cancellation or reduction.

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OR			
Name of the external stakeholder's authorized rep	presentative		
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Financial assistance reduced			Reason for false declaration (misrepresen-
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I — ··	capacity for employ	e a temporarily limited ment	Solidary liability
Amount of financial assistance granted (LRFA)	Refusal to recognize a severely limited capacity for employment		Amount withheld to recover debt
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If you are assisted by someone other than a lawyer, would you decision following the review, to be sent to that person?	like the correspondence, including the notice informin	g you of the
If you are not represented, do you wish to provide additional i	nformation to the review officer during a telephone in	terview? Yes No
If you answer "No", the decision will be rendered acco	rding to the information in your file.	
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